

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MALEEHA AHMAD)	
)	
and)	
)	
ALISON DREITH,)	
)	
<i>on behalf of themselves and a class of</i>)	
<i>similarly situated individuals,</i>)	No. 4:17-cv-2455
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF ST. LOUIS, MISSOURI,)	
)	
Defendant.)	

DECLARATION OF BRIAN BAUDE

I, Brian Baude, declare as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. I am a Lieutenant Colonel in the United States Air Force.
3. I live in the area of Washington Avenue and Tucker Boulevard in St. Louis, Missouri.
4. On September 17, 2017, I was in the area of 11th Street and Locust Avenue in an adjacent parking lot observing the interaction of protesters and law enforcement and live streaming the events from my phone. There were approximately five people protesting near a police line. The other people in the area were also observing but not actively protesting.
5. I was not participating in the protest and was in the area observing because it is near where I live.

6. The protests were related to the public outrage over the acquittal of Jason Stockley, a former St. Louis police officer who shot and killed Anthony Smith in 2011.

7. While I was in the area of 11th Street and Locust Avenue, I heard the police order the approximately five protesters to disperse as the police indicated these approximately five protesters were unlawfully assembled. Everyone in the area, including those of us within earshot on the sidewalk/parking lot just observing and recording but not protesting, complied with the order, moved even further away, and left the area.

8. At all times while I was walking in the area, I was complying with the law.

9. When I reached the corner of Washington Avenue and Tucker Boulevard, several blocks away from where the group of approximately five protesters I observed had been ordered to disperse, I again observed a large group of police officers.

10. At this location (Washington Avenue and Tucker Boulevard) I never heard any orders to disperse or any warnings from the police. I continued to comply with the law at all times.

11. Then, while walking west on Washington Avenue back towards my residence and away from the remaining protesters who were milling around lackadaisically back at the intersection of Washington Avenue and Tucker Boulevard, without warning, I was blocked by a group of police in riot gear walking east from North 13th Street.

12. I was surrounded on all four sides, pepper sprayed, forced onto the ground, and restrained with zip-ties. I could not leave the area.

13. The police continued to use pepper spray indiscriminately on the now surrounded and passive crowd of detained people, including compliant and restrained detainees.

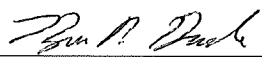
14. I was pepper sprayed, restrained, and arrested.

15. I was taken to the jail and put in a mass holding cell.

16. I was detained from approximately 11:30 p.m. on September 17, 2017, until 2:00 p.m. on September 18, 2017.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 28 day of September, 2017.

By: 
Brian Baude